

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DIANE THAVIXAY,
Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,
Defendant.

Case No. [18-cv-06477-TSH](#)

ORDER TO SHOW CAUSE

Re: Dkt. No. 21

Plaintiff Diane Thavixay brings this action pursuant to 42 U.S.C. § 405(g), seeking judicial review of a final decision denying her claim for disability benefits. Pursuant to the October 25, 2018, Social Security Procedural Order issued in this case, Thavixay was required to file a motion for summary judgment or for remand within 28 days of service of the Commissioner's answer. ECF No. 4. As the Commissioner served her answer on April 17, 2019 (ECF Nos. 17, 18), Thavixay's motion was due May 15, 2019. On May 29, 2019, 14 days after failing to file a timely motion, Thavixay filed a stipulation for extension of time requesting the Court grant her until June 19, 2019, to file a motion for summary judgment and joint statement of facts. ECF No. 19. The Court granted her request. ECF No. 21. However, as of June 20, 2019, no filing has been received. Accordingly, the Court **ORDERS** Plaintiff Diane Thavixay to show cause why this case should not be dismissed for failure to prosecute and failure to comply with court deadlines. Thavixay shall file a declaration by June 27, 2019. Notice is hereby provided that failure to file a written response will be deemed an admission that Thavixay does not intend to prosecute, and the

case will be dismissed without prejudice. Thus, it is imperative the Court receive a written response by the deadline above.

IT IS SO ORDERED.

Dated: June 20, 2019


THOMAS S. HIXSON
United States Magistrate Judge